

# **JOINT COMMITTEE ON ADMINISTRATIVE RULES**

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. DON HARMON

CO-CHAIR:  
REP. TIM SCHMITZ

EXECUTIVE DIRECTOR:  
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SEN. PAMELA ALTHOFF  
SEN. TONY MUNOZ  
SEN. SUE REZIN  
SEN. DALE A. RIGHTER  
SEN. IRA SILVERSTEIN  
REP. GREG HARRIS  
REP. LOU LANG  
REP. DAVID R. LEITCH  
REP. DONALD L. MOFFITT  
REP. ANDRE' THAPEDI

## **MINUTES**

**June 11, 2013**

### **MEETING CALLED TO ORDER**

The Joint Committee on Administrative Rules met on June 11, 2013 at 11:00 a.m. in Room 600C of the Michael A. Bilandic Building in Chicago, Illinois.

Co-Chair Harmon called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments in writing.

### **ATTENDANCE ROLL CALL**

X Senator Pamela Althoff	X Representative Greg Harris
X Senator Don Harmon	X Representative Lou Lang
Senator Tony Muñoz	X Representative David Leitch
X Senator Sue Rezin	X Representative Donald Moffitt
Senator Dale Righter	Representative Timothy Schmitz
X Senator Ira Silverstein	X Representative Andre' Thapedi

### **APPROVAL OF THE MINUTES OF THE MAY 14, 2013 MEETING**

Representative Harris moved, seconded by Representative Leitch, to approve the minutes of the May 14, 2013 meeting. The motion passed unanimously.

### **REVIEW OF AGENCY RULEMAKINGS**

*Department of Children and Family Services – Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services (89 Ill. Adm. Code 431; 36 Ill. Reg. 17289)*

Representative Thapedi moved, seconded by Representative Moffitt, that JCAR recommend that, in the future, the Department reflect statutory changes in a more timely manner. The motion passed unanimously.

***Department of Veterans' Affairs – Payment of Maintenance Charges and Income Management at the Illinois Veterans Homes (95 Ill. Adm. Code 108; 37 Ill. Reg. 2471)***

Representative Lang moved, seconded by Senator Rezin, that JCAR object to the Department implementing the allowance calculation methodology created in this rulemaking prior to adoption of the rule. Section 5-10(c) of the Illinois Administrative Procedure Act specifically states that no agency policy is valid, and shall not be invoked, unless adopted as rule. The motion passed unanimously.

**CONSIDERATION OF OTHER RULEMAKINGS**

Co-Chair Harmon asked if any member desired consideration of any other rulemaking. Representative Lang requested consideration of an Illinois Commerce Commission rulemaking (Tab 4) and Co-Chair Harmon indicated an interest in a rulemaking of the Department of Healthcare and Family Services (Tab 25).

***Illinois Commerce Commission – Certification for the Installation, Maintenance or Repair of Electric Vehicle Charging Stations (83 Ill. Adm. Code 469; 36 Ill. Reg. 16421)***

Representative Lang, moved, seconded by Senator Althoff, that JCAR extend the Second Notice Period for this rulemaking for an additional 45 days.

Matthew L. Harvey, Supervisor of the Trials Section of ICC's Office of the General Counsel, agreed to the extension.

The motion passed unanimously.

***Department of Healthcare and Family Services – Hospital Reimbursement Changes (89 Ill. Adm. Code 152; 37 Ill. Reg.1102)***

Co-Chair Harmon asked if a representative from HFS was present.

Jeanette Badrov, HFS General Counsel, was in attendance.

Co-Chair Harmon inquired about HFS' inclusion of references to the 3M program into the rulemaking without including an incorporation by reference. Co-Chair Harmon asked that HFS continue to attempt to find a way to incorporate the 3M software program the Department is using to implement the statute.

Ms Badrov agreed that HFS would do so.

**CERTIFICATION OF NO OBJECTION**

Representative Thapedi moved, seconded by Representative Harris, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective

rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously.

### **AGENCY RESPONSES**

*Department of Public Health – AIDS Drug Assistance Program (77 Ill. Adm. Code 692; 37 Ill. Reg. 2563)*

Based on the appropriateness of the agency's response, no further action was taken.

### **JULY MEETING DATE**

Co-Chair Harmon announced that the next monthly meeting is scheduled for Tuesday, July 9, 2013, at 11:00 a.m., Room 600C, Michael A. Building, Chicago IL.

### **ADJOURNMENT**

Representative Leitch moved, seconded by Representative Moffitt, that the meeting stand adjourned. The motion passed unanimously.

*Min:0613June*